IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.4697 OF 2005

Raigad Zilla Parishad and another)..Petitioners

Versus

Mahendra Lakhma Gaikwad and another)..Respondents

Mr.C.G.Gavnekar for the Petitioners.

Mr.P.N.Anaokar with Mr.A.K.Jalisatgi for the Respondents.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 21ST JULY 2005

P.C.:

. This Petition is directed against the interim order dated 10th June 2005 passed by the Industrial Court, Thane below Exhibit U-2 in Complaint (ULP) No.191 of 2005 staying temporarily the transfer orders issued to the Respondents. The Industrial Court has found that on a prima facie consideration of the case, the transfers amount to punishment and are, therefore, mala fide and attract the provisions of Items 3 and 9 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971. There is no need to interfere with the interim order which has been passed by a competent Court within its jurisdiction. Writ Petition rejected. It is clarified that pendency of the Complaint will not preclude the Petitioners from taking appropriate action in the matter.